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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/589,962	NAGASAKA, HIROYUKI	
	Examiner	Art Unit	
	Christina Riddle	4175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-37 is/are rejected.
- 7) Claim(s) 12, 22 is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 8/18/2006 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/30/2006 and 12/18/2006</u> . | 6) <input type="checkbox"/> Other: ____ . |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 11/30/2006 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered. Only references initialed by the examiner have been considered. Copies of the struck-out foreign references have not been received.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

3. Claims 12 and 22 are objected to because of the following informalities.
Appropriate correction is required.

- a. On page 4, claim 12, line 6, there is an extra comma following "wavelength" (i.e. "wavelength,;"). The examiner recommends revision "wavelength,;" to "wavelength;".
- b. Page 6, claim 22, line 1, the term "wavelength" requires an article. The examiner suggests revision to "the wavelength."

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 31 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation that "said photosensitive object is longer than said predetermined length," is indefinite since the claim earlier recited that "An exposure system that performs exposure on a same photosensitive object a plurality of times." It would be impossible for one of ordinary skill to determine the metes and bounds of this claim since the photosensitive object cannot both be a predetermined length and longer than a predetermined length during sequential photolithography processes. For the purposes of examination, the examiner is interpreting the length limitation to apply to the exposure wavelength rather than the size of the photosensitive object.
6. Claim 35 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The recitation that the first exposure apparatus is larger in

number than the second exposure apparatus fails to appraise one of ordinary skill in the art of the metes and bounds of the invention sought by claim 35 since the limitation "larger in... number" is silent as to what "number" is meant to modify (i.e. number could refer to equipment model number, quantity of equipment, size or number of parts possessed by the equipment, etc.). For the purposes of examination, the examiner is interpreting "larger in... number" to mean larger in size. That is, the first exposure apparatus is larger than the second exposure apparatus in terms of size.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 11, 12, 24, 26, 31, 36, and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Sugita (JP2000-021763, translation provided by applicant).

Regarding claim 1 and 11, Sugita teaches the substantial wavelength of an exposure light in a space between a projection optical system, which projects said exposure light on said photosensitive object, and said photosensitive object is different in at least one exposure in said plurality of times of exposure from another exposure (paragraph [0024], in multiple exposure steps, the substrate is exposed with light of different wavelengths. Paragraphs [0053] and [0063], an F2 laser (Fig. 11), with a wavelength of 157 nm, used in one apparatus was used for a first exposure and an X-

ray exposure apparatus (Fig. 13) was used for a second exposure. The F2 laser exposure wavelength is larger than that of the exposure apparatus using X-ray exposure).

Regarding claims 12, 26, 31, and 37, Sugita teaches a process in which under a first exposure condition where a substantial wavelength of said exposure light in a space between an optical member and said photosensitive object is a first wavelength, said photosensitive object is exposed by said exposure light of said first wavelength; and a process in which under a second exposure condition where a substantial wavelength of said exposure light in a space between said optical member and said photosensitive object is a second wavelength different from said first wavelength, said photosensitive object is exposed by said exposure light of said second wavelength (paragraph [0024], in multiple exposure steps, the substrate is exposed with light of different wavelengths. Paragraphs [0053] and [0063], an F2 laser (Fig. 11), with a wavelength of 157 nm, used in one apparatus was used for a first exposure and an X-ray exposure apparatus (Fig. 13) was used for a second exposure. The F2 laser exposure wavelength is larger than that of the exposure apparatus using X-ray exposure).

Regarding claim 24, Sugita discloses said exposure under said first exposure condition and said exposure under said second exposure condition are severally executed in a different exposure apparatus (paragraphs [0053] and [0063], an F2 laser (Fig. 11) used in one apparatus was used for a first exposure and an X-ray exposure apparatus (Fig. 13) was used for a second exposure).

Regarding claim 36, Sugita discloses wherein oscillation wavelength of a light source emitting said exposure light of said first exposure apparatus is different from oscillation wavelength of a light source emitting said exposure light of said second exposure apparatus (paragraph [0024], in multiple exposure steps, the substrate is exposed with light of different wavelengths. Paragraphs [0053] and [0063], an F2 laser (Fig. 11), with a wavelength of 157 nm, used in one apparatus was used for a first exposure and an X-ray exposure apparatus (Fig. 13) was used for a second exposure).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2-8, 13-21, 25, 27, 29, 32, and 33, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita as applied to claims 1, 12, and 31 above, and further in view of Kudo (JP 10-340846, translation provided by applicant).

Regarding claims 2, and 6-8, Sugita, as detailed in claim 1 above, teaches wherein in said another exposure, said space is in a state not filled with liquid (Figs. 11, 12, 13, 19, 20 and 24 are exposure apparatuses which have spaces between the projection lens and the photosensitive object not filled with liquid). Sugita also teaches that said at least one exposure is performed prior to said another exposure (Sugita, [0024], two exposure steps occur. Also, Paragraphs [0053] and [0063], an F2 laser

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(Fig. 11), with a wavelength of 157 nm, used in one apparatus was used for a first exposure and an X-ray exposure apparatus (Fig. 13) was used for a second exposure. The F2 laser exposure wavelength is larger than that of the exposure apparatus using X-ray exposure). Sugita further teaches wherein said at least one exposure is performed after said another exposure is performed (Sugita, paragraphs [0024], [0053], and [0063], two exposure steps occur for a photosensitive object, one step in an exposure apparatus using a F2 laser light source and another step in an X-ray exposure apparatus). However, Sugita fails to teach wherein in said at least one exposure, said space is in a state filled with a predetermined liquid.

However, Kudo teaches said space is in a state filled with a predetermined liquid (paragraph [0007], photosensitive object is exposed through a liquid with a controlled index of refraction).

It would have been obvious to one skilled in the art at the time of the invention to have included a liquid filling the space between the projection system and the photosensitive object as shown by Kudo, in the exposure apparatus of Sugita since an immersion fluid is commonly used in the art to increase the numerical aperture of the projection exposure system to enable patterning of smaller feature sizes.

Regarding claim 3, Sugita as modified by Kudo, as detailed in claim 2 above, further teaches wherein in said another exposure, said space is in a state filled with another liquid of a different type from said predetermined liquid (Kudo paragraph [0032], index of refraction of liquid is adjusted by adding ethyl alcohol to water, creating an immersion liquid of a different type).

It would have been obvious to one skilled in the art at the time of the invention to have included a different type of liquid filling the space between the projection system and the photosensitive object as shown by Kudo, in the exposure apparatus of Sugita since, as suggested by Kudo, an immersion fluid with a different type of liquid is commonly used to prevent dissolution of the photosensitive layer of resist on the surface of the photosensitive object (paragraph labeled [Second Embodiment]).

Regarding claim 4, Sugita, as modified by Kudo, as detailed in claim 3 above, further teaches said predetermined liquid has refractive index larger than the refractive index of said another liquid (Kudo [0033], the refractive index of the liquid is decreased by adding less ethyl alcohol).

It would have been obvious to one skilled in the art at the time of the invention to have included liquid with a lower index of refraction than another liquid as shown by Kudo, in the exposure apparatus of Sugita since an immersion fluid different refractivity is commonly used to allow improved control of numerical aperture for different process conditions.

Regarding claim 5, Sugita, as modified by Kudo, as detailed in claim 3 above, further teaches said another liquid has solubility to a specific material contained within a photosensitive agent of said photosensitive object lower than said predetermined liquid (Kudo paragraph labeled [A 2nd embodiment], between paragraphs [0029] and [0030], ethyl alcohol is used as an additive to water to avoid dissolving the photosensitive agent on the surface of the photosensitive object).

It would have been obvious to one skilled in the art at the time of the invention to have included a liquid with a lower solubility to material in photosensitive agent than another liquid as shown by Kudo, in the exposure apparatus of Sugita since, as suggested by Kudo, an immersion fluid with a lower solubility to a photosensitive agent is commonly used to prevent dissolution of the photosensitive layer of resist on the surface of the photosensitive object (paragraph labeled [Second Embodiment]).

Regarding claims 13, and 19-21, Sugita, as detailed in claim 12, teaches wherein exposure under said second exposure condition is a dry exposure performed in a state where said space is not filled with liquid (Sugita paragraphs [0053] and [0063], an F2 laser exposure apparatus and an X-ray exposure apparatus (Fig. 13) were used for a second exposure, which are both dry exposure methods). Sugita further teaches said exposure under said first exposure condition is performed prior to said exposure under said second condition (Sugita, [0024], two exposure steps, one must occur before the other and both the F2 laser and X-ray exposure apparatuses are performed without liquid), and that said exposure under said first exposure is performed after said exposure under said second exposure has been performed (Sugita, [0024], two exposure steps, one must occur before the other and both the F2 laser and X-ray exposure apparatuses are performed without liquid). However, Sugita fails to teach wherein exposure under said first exposure condition is an immersion exposure performed in a state where said space is filled with a predetermined liquid.

However, Kudo discloses wherein exposure under said first exposure condition is an immersion exposure performed in a state where said space is filled with a

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predetermined liquid (paragraph [0007], photosensitive object is exposed through a liquid, with a refractive index adjustment device (and thus, controlling the liquid to a predetermined index of refraction)).

It would have been obvious to one skilled in the art at the time of the invention to have included a liquid filling the space between the projection system and the photosensitive object as shown by Kudo, in the exposure apparatus of Sugita since an immersion fluid is commonly used in the art to increase the numerical aperture of the projection exposure system to enable patterning of smaller feature sizes.

Regarding claim 14, Sugita, as modified by Kudo, as detailed in claim 13 above, further teaches wherein exposure under said second exposure condition is an immersion exposure performed in a state where said space is filled with another liquid different from said predetermined liquid (paragraph [0030], a liquid additive of a different type fills the space).

It would have been obvious to one skilled in the art at the time of the invention to have included a liquid filling the space between the projection system and the photosensitive object with a second liquid different from the first as shown by Kudo, in the exposure apparatus of Sugita in view of Kudo since an immersion fluid with a different index of refraction is commonly used in the art to increase the numerical aperture of the projection exposure system to enable patterning of smaller feature size.

Regarding claims 15 and 16, Sugita, as modified by Kudo, as detailed in claim 14 above, further teaches wherein said predetermined liquid has a refractive index different from and larger than said another liquid (paragraph [0030], a liquid additive of a different

type, and thus a different refractive index, fills the space, and Kudo [0033], the refractive index of the liquid is decreased by adding less ethyl alcohol).

It would have been obvious to one skilled in the art at the time of the invention to have included liquid with a lower index of refraction than another liquid as shown by Kudo, in the exposure apparatus of Sugita since an immersion fluid different refractivity is commonly used to allow improved control of numerical aperture for different process conditions.

Regarding claims 17 and 18, Sugita, as modified by Kudo, as detailed in claim 14 above, further teaches said another liquid has solubility to a specific material contained within a photosensitive agent of said photosensitive object different and smaller than said predetermined liquid (Kudo paragraph labeled [A 2nd embodiment], between paragraphs [0029] and [0030], ethyl alcohol is used as an additive to water to avoid dissolving the photosensitive agent on the surface of the photosensitive object).

It would have been obvious to one skilled in the art at the time of the invention to have included a liquid with a lower solubility to material in photosensitive agent than another liquid as shown by Kudo, in the exposure apparatus of Sugita since, as suggested by Kudo, an immersion fluid with a lower solubility to a photosensitive agent is commonly used to prevent dissolution of the photosensitive layer of resist on the surface of the photosensitive object (paragraph labeled [Second Embodiment]).

Regarding claim 25, Sugita, as detailed in claim 12 above, fails to teach said exposure under said first exposure condition and said exposure under said second exposure condition are severally executed in a same exposure apparatus.

However, Kudo teaches said exposure under said first exposure condition and said exposure under said second exposure condition are severally executed in a same exposure apparatus (paragraph [0030], a liquid additive of a different type, and thus a different refractive index, fills the space, thus causing the exposure wavelength to be a different wavelength through the liquid medium. The same exposure apparatus can cause the two different exposure conditions by controlling the index of refraction).

It would have been obvious to one skilled in the art at the time of the invention to have one exposure apparatus capable of performing both exposure conditions as shown by Kudo, in the exposure system of Sugita since an exposure apparatus that performs both exposure conditions is commonly used in the art to increase equipment utilization and flexibility as well as to decrease equipment footprint in a semiconductor manufacturing site.

Regarding claims 27 and 30, Sugita teaches a stage that holds said photosensitive object (Figs. 11 and 13, stages 215 and 228, and for an exemplary exposure apparatus, Fig. 24 with stage 199); a projection optical system that projects an exposure light on said photosensitive object (Figs. 11 and 13, projection system 212 and 213, projects light onto object, wafer, 214, and the system of Fig. 13 between the reticle 225 and the object 227. Also, exemplary exposure apparatus Fig. 24 with projection system 196 projecting light onto object, wafer, 198), and in at least one exposure of said plurality of times, said substantial wavelength of said exposure light in said space is different from the wavelength in another exposure (paragraph [0024], and Paragraphs [0053] and [0063], an F2 laser (Fig. 11), with a wavelength of 157 nm, used

in one apparatus was used for a first exposure and an X-ray exposure apparatus (Fig. 13) was used for a second exposure. The F2 laser exposure wavelength is larger than that of the exposure apparatus using X-ray exposure). However, Sugita fails to teach an adjustment unit that adjusts a substantial wavelength of said exposure light in a space between said projection optical system and said photosensitive object, adjustment unit; and a control unit that controls said adjustment unit when exposing said photosensitive object a plurality of times.

However, Kudo teaches an adjustment unit that adjusts a substantial wavelength of said exposure light in a space between said projection optical system and said photosensitive object (paragraph [0030]-[0031] and Fig. 3, adjustment unit, supply pipe LS and LQ and valves DVLS, DVLWS, and DVL, controls the index of refraction by supplying the additive liquid to the space between the projection system and the photosensitive object. Adjusting the index of refraction, in turn adjusts the wavelength of exposure light in the space.); and a control unit that controls said adjustment unit when exposing said photosensitive object a plurality of times (Fig. 3 and paragraph [0031], control unit, CPU 2, controls the operation of the adjustment unit (valves) to adjust the index of refraction and thereby, the wavelength).

It would have been obvious to one skilled in the art at the time of the invention to include an adjustment unit to adjust wavelength and a control unit that controls the adjustment unit as shown by Kudo, in the exposure apparatus of Sugita since a wavelength adjustment and control unit is commonly used in the art to correct shifts in

wavelength emitted by the laser that occur over time in order to maintain correct equipment operation.

Regarding claim 29, Sugita in view of Kudo, as detailed in claim 27, further teaches said adjustment unit comprises a liquid supply mechanism that supplies any one liquid of a plurality of types of liquid so that in a space between said projection optical system and said stage, at least a space between said projection optical system and said photosensitive object on said stage is filled with said liquid (Kudo Fig. 3 and paragraphs [0030]-[0031], liquid supply mechanism, supply pipes LS, LQ, and exhaust pipe L in addition to valves DVLS, DVLWS, and DVL can supply and control the flow of ethyl alcohol, water, and a mixture of ethyl alcohol and water, supply a predetermined liquid to the space), whereby said control unit controls said adjustment unit so that said liquid supply mechanism supplies a predetermined liquid of said plurality of types of liquid to said space between said projection optical system and said photosensitive object on said stage in said at least one exposure, whereas in said another exposure said liquid supply mechanism supplies a liquid different from said predetermined liquid to said space (Kudo Fig. 3 and paragraph [0031], control unit, CPU 2, controls the operation of the adjustment unit (pipes and valves) to adjust the index of refraction and thereby, the wavelength).

It would have been obvious to one skilled in the art at the time of the invention to include a liquid supply mechanism that supplies a plurality of types of liquid to the space as shown by Kudo, in the exposure apparatus of Sugita since supplying a variety of liquids in a wavelength adjustment and control unit is commonly used in the art to

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correct shifts in wavelength emitted by the laser that occur over time in order to maintain correct equipment operation, while ensuring that the liquids used in the immersion space do not adversely effect imaging due to interaction with the surface of the photosensitive film on the object to be exposed.

Regarding claim 32, Sugita, as detailed in claim 31 above, fails to teach wherein in said first exposure apparatus, a predetermined liquid is filled between said projection optical system and said photosensitive object when said exposure light is projected on said photosensitive object.

However, Kudo discloses wherein in said first exposure apparatus, a predetermined liquid is filled between said projection optical system and said photosensitive object when said exposure light is projected on said photosensitive object (paragraph [0007], photosensitive object is exposed through a liquid with a refractive index control and adjustment device).

It would have been obvious to one skilled in the art at the time of the invention to have included a liquid filling the space between the projection system and the photosensitive object as shown by Kudo, in the exposure apparatus of Sugita since an immersion fluid is commonly used in the art to increase the numerical aperture of the projection exposure system to enable patterning of smaller feature sizes.

Regarding claim 33, Sugita in view of Kudo, as detailed in claim 32 above, further teaches wherein in said second exposure apparatus, another liquid having a refractive index smaller than said predetermined liquid is filled between said projection optical system and said photosensitive object when said exposure light is projected on said

photosensitive object (Kudo paragraph [0007], index of refraction of liquid is adjusted, creating an immersion liquid of a different type, and [0033], the refractive index of the liquid is decreased by adding less ethyl alcohol).

It would have been obvious to one skilled in the art at the time of the invention to have included liquid with a lower index of refraction than another liquid as shown by Kudo, in the exposure apparatus of Sugita since an immersion fluid different refractivity is commonly used to allow improved control of numerical aperture for different process conditions.

11. Claims 6-8, 19-21, 28, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita in view of Kudo as applied to claims 2, 13, and 32 above, and further in view of Fujishima et al. (JP2000-058436, translation is provided).

Regarding claims 6-8, Sugita in view of Kudo, as detailed in claim 2 above, teaches that said at least one exposure is performed prior to said another exposure (Sugita, [0024], two exposure steps are performed. Also, Paragraphs [0053] and [0063], an F2 laser (Fig. 11), with a wavelength of 157 nm, used in one apparatus was used for a first exposure and an X-ray exposure apparatus (Fig. 13) was used for a second exposure. The F2 laser exposure wavelength is larger than that of the exposure apparatus using X-ray exposure). Sugita further teaches wherein said at least one exposure is performed after said another exposure is performed (Sugita, paragraphs [0024], [0053], and [0063], two exposure steps occur for a photosensitive object, one step in an exposure apparatus using a F2 laser light source and another step in an X-

ray exposure apparatus). However, Sugita in view of Kudo fails to teach wherein in said another exposure, said space is in a state not filled with liquid.

However, Fujishima et al. teaches wherein in said another exposure, said space is in a state not filled with liquid (paragraph [0007]-[0009] and Fig. 1, an exposure apparatus is capable of imaging a photosensitive object via a space not filled with liquid, though it is also capable of imaging the object through liquid contained in container 3 that can be placed in the imaging beam path between the projection system 2 and the photosensitive object 5a).

It would have been obvious to one skilled in the art at the time of the invention to have a space between the projection system and the photosensitive object not filled with liquid during at least one exposure as shown by Fujishima et al., in the exposure apparatus of Sugita in view of Kudo since performing one exposure in a state in which the space between the projection system and the object to be exposed is not filled with liquid is commonly known in the art to be a faster method of exposure than immersion exposure, thereby improving throughput in multiple exposure techniques.

Regarding claims 19-21, Sugita in view of Kudo, as detailed in claim 13 above, teaches that said exposure under said first exposure condition is performed prior to said exposure under said second condition (Sugita, [0024], two exposure steps, one must occur before the other), and that said exposure under said first exposure is performed after said exposure under said second exposure has been performed (Sugita, [0024], two exposure steps, one must occur before the other). However, Sugita in view of Kudo

fails to teach wherein exposure under said second exposure condition is a dry exposure performed in a state where said space is not filled with liquid.

However, Fujishima et al. teaches wherein exposure under said exposure condition is a dry exposure performed in a state where said space is not filled with liquid (paragraph [0007]-[0009] and Fig. 1, an exposure apparatus is capable of imaging a photosensitive object via a space not filled with liquid, though it is also capable of imaging the object through liquid contained in container 3 that can be placed in the imaging beam path between the projection system 2 and the photosensitive object 5a).

It would have been obvious to one skilled in the art at the time of the invention to have a space between the projection system and the photosensitive object not filled with liquid during an exposure as shown by Fujishima et al., in the exposure apparatus of Sugita in view of Kudo since performing one exposure in a state in which the space between the projection system and the object to be exposed is not filled with liquid is commonly known in the art to be a faster method of exposure than immersion exposure, thereby improving throughput in multiple exposure techniques.

Regarding claim 28, Sugita in view of Kudo, as detailed in claim 27, further teaches said adjustment unit comprises a liquid supply mechanism that supplies a predetermined liquid so that in a space between said projection optical system and said stage, at least a space between said projection optical system and said photosensitive object on said stage is filled with said liquid (Kudo Fig. 3 and paragraphs [0030]-[0031], liquid supply mechanism, supply pipes LS and LQ and valves DVLS, DVLWS, and DVL, supply a predetermined liquid to the space), whereby said control unit controls said

adjustment unit so that said liquid supply mechanism supplies said liquid to said space between said projection optical system and said photosensitive object on said stage in said at least one exposure (Kudo Fig. 3 and paragraph [0031], control unit, CPU 2, controls the operation of the adjustment unit (pipes and valves) to adjust the index of refraction and thereby, the wavelength). However, Sugita in view of Kudo fail to teach in said another exposure said liquid supply mechanism does not supply said liquid to said space.

However, Fujishima et al. teaches in said another exposure said liquid supply mechanism does not supply said liquid to said space (paragraph [0007]-[0009] and Fig. 1, an exposure apparatus is capable of imaging a photosensitive object via a space not filled with liquid, though it is also capable of imaging the object through liquid contained in container 3 that can be placed in the imaging beam path between the projection system 2 and the photosensitive object 5a).

It would have been obvious to one skilled in the art at the time of the invention to have a space between the projection system and the photosensitive object not filled with liquid during an exposure as shown by Fujishima et al., in the exposure apparatus of Sugita in view of Kudo since performing one exposure in a state in which the space between the projection system and the object to be exposed is not filled with liquid is commonly known in the art to be a faster method of exposure than immersion exposure, thereby improving throughput in multiple exposure techniques.

Regarding claim 34, Sugita in view of Kudo, as detailed in claim 32 above, fails to teach wherein in said second exposure apparatus, liquid does not exist between said

projection optical system and said photosensitive object when said exposure light is projected on said photosensitive object.

However, Fujishima teaches wherein in said second exposure apparatus, liquid does not exist between said projection optical system and said photosensitive object when said exposure light is projected on said photosensitive object (paragraphs [0007]-[0009] and Fig. 1, an exposure apparatus is capable of imaging a photosensitive object via a space not filled with liquid, though it is also capable of imaging the object through liquid contained in container 3 that can be placed in the imaging beam path between the projection system 2 and the photosensitive object 5a).

It would have been obvious to one skilled in the art at the time of the invention to have included a dry exposure between the projection system and the photosensitive object as shown by Fujishima, in the exposure apparatus of Sugita in view of Kudo since dry lithography is commonly used in the art to simplify equipment complexity and to save space.

12. Claims 9, 22, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita as applied to claims 1, 12, and 31 above, and further in view of Kroyan et al. (US PGPub 2002/0048288).

Regarding claim 9, Sugita, as detailed in claim 1 above, fails to teach wherein a wavelength of an exposure light made to enter said projection optical system in said at least one exposure is different from a wavelength of exposure light in said another exposure.

However, Kroyan et al. teaches wherein a wavelength of an exposure light made to enter said projection optical system in said at least one exposure is different from a wavelength of exposure light in said another exposure (page 2, paragraph [0011], lines 3-10).

It would have been obvious to one skilled in the art at the time of the invention to have different exposure wavelengths as shown by Kroyan et al., entering the exposure apparatus of Sugita since, as shown by Kroyan et al., an different exposure wavelengths in an exposure apparatus are commonly used in the art to improve pattern resolution (page 2, paragraph [0011], lines 7-10).

Regarding claim 22, Sugita, as detailed in claim 12 above, fails to teach wavelength of exposure light made to enter said optical member in exposure under said first exposure condition is different from the wavelength of exposure light in exposure under said second exposure condition.

However, Kroyan et al. teaches wavelength of exposure light made to enter said optical member in exposure under said first exposure condition is different from the wavelength of exposure light in exposure under said second exposure condition (page 2, paragraph [0011], lines 3-10).

It would have been obvious to one skilled in the art at the time of the invention to have different exposure wavelengths as shown by Kroyan et al., entering the exposure apparatus of Sugita since, as shown by Kroyan et al., an different exposure wavelengths in an exposure apparatus are commonly used in the art to improve pattern resolution (page 2, paragraph [0011], lines 7-10).

Regarding claim 36, Sugita fails to teach wherein oscillation wavelength of a light source emitting said exposure light of said first exposure apparatus is different from oscillation wavelength of a light source emitting said exposure light of said second exposure apparatus.

However, Kroyan et al. discloses wherein oscillation wavelength of a light source emitting said exposure light of said first exposure apparatus is different from oscillation wavelength of a light source emitting said exposure light of said second exposure apparatus (page 2, paragraph [0011], lines 3-10 and Fig. 8A adjustment unit, PZT driver or piezo stack, lever arm, and stepper motor, 84 controls the wavelength by adjusting the mirror, allowing oscillation wavelengths to be adjusted).

It would have been obvious to one skilled in the art at the time of the invention to have different exposure wavelengths as shown by Kroyan et al., entering the exposure apparatuses at different exposure times of Sugita since, as shown by Kroyan et al., different exposure wavelengths in an exposure apparatus are commonly used in the art to improve pattern resolution (page 2, paragraph [0011], lines 7-10).

13. Claims 10 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita as applied to claims 1 and 12 above, and further in view of the second embodiment of Sugita.

Regarding claim 10, Sugita, as detailed in claim 1 above, fails to teach wherein in said at least one exposure, a phase shift method is used.

However, the second embodiment of Sugita discloses wherein in said at least one exposure, a phase shift method is used (paragraph [0069], phase shift mask and ArF excimer laser can be used).

It would have been obvious to one skilled in the art at the time of the invention to use a phase shift mask as shown by the second embodiment of Sugita, in the exposure apparatus of the first embodiment of Sugita since a phase shift mask in an exposure apparatus is commonly used in the art to improve pattern resolution.

Regarding claim 23, Sugita, as detailed in claim 12 above, wherein in said exposure under said first exposure condition, a phase shift method is used.

However, the second embodiment of Sugita discloses wherein in said exposure under said first exposure condition, a phase shift method is used (paragraph [0069], phase shift mask and ArF excimer laser can be used).

It would have been obvious to one skilled in the art at the time of the invention to use a phase shift mask as shown by the second embodiment of Sugita, in the exposure apparatus of the first embodiment of Sugita since a phase shift mask in an exposure apparatus is commonly used in the art to improve pattern resolution.

14. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita in view of Kroyan et al.

Regarding claim 27, Sugita teaches a stage that holds said photosensitive object (Fig. 24, stage 199); a projection optical system that projects an exposure light on said photosensitive object (Fig. 24, projection system 196), and in at least one exposure of

said plurality of times, said substantial wavelength of said exposure light in said space is different from the wavelength in another exposure (paragraph [0024]). However, Sugita fails to teach an adjustment unit that adjusts a substantial wavelength of said exposure light in a space between said projection optical system and said photosensitive object, adjustment unit; and a control unit that controls said adjustment unit when exposing said photosensitive object a plurality of times.

However, Kroyan et al. teaches an adjustment unit that adjusts a substantial wavelength of said exposure light in a space between said projection optical system and said photosensitive object (Fig. 8A adjustment unit, PZT driver or piezo stack, lever arm, and stepper motor, 84 controls the wavelength by adjusting the mirror); and a control unit that controls said adjustment unit when exposing said photosensitive object a plurality of times (Fig. 8A, control unit, LNP processor, controls the operation of the adjustment unit (PZT stack and lever arm as well as stepper motor) to adjust the mirror and control the output wavelength, which is monitored by a wave meter).

It would have been obvious to one skilled in the art at the time of the invention to include an adjustment unit to adjust wavelength and a control unit that controls the adjustment unit as shown by Kroyan et al., in the exposure apparatus of Sugita since, as shown by Kroyan et al., a wavelength adjustment and control unit is commonly used in the art to correct shifts in wavelength emitted by the laser that occur over time in order to maintain correct equipment operation (paragraph [0002]).

15. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita as applied to claim 31 above, and in further view of Loopstra et al. (US Patent No. 5,969,441).

Regarding claim 35, Sugita in view of the third embodiment of Sugita, as detailed in claim 31 above, fails to teach wherein said first exposure apparatus is larger than said second exposure apparatus in number (as noted above, for the purposes of examination, "larger in number" is taken to mean larger in size).

However, Loopstra et al. teaches an exposure apparatus larger than other exposure apparatus (Fig. 1, exposure apparatus with dual wafer stage is larger than the exposure apparatuses disclosed by Sugita).

It would have been obvious to one skilled in the art at the time of the invention to have one larger exposure apparatus as shown by Loopstra et al., in the exposure system of Sugita since dual stage lithography tools significantly increase throughput, and wafer fabrication plants typically have more than one type of exposure apparatus since different layers require different conditions.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Flagello et al. (US Patent No. 6,954,256) discloses multiple immersion liquids used in one space, having different indexes of refraction and solubilities to photoresist. Switkes et al. (US PGPub 2002/0163629) discloses the use of PFPE fluids as immersion liquids. Nakagawa et al. (US Patent No. 5,472,813)

discloses the use of a phase shift reticle with double exposure. Sugita et al. (EP 0969327) discloses multiple exposure processing with the same mask pattern while changing illumination conditions. Suwa et al. (JP 2000-133589) discloses performing multiple exposures and changing the exposure wavelength to achieve fine substrate patterning. Kawashima (US PGPub 2001/0036604) discloses a multiple exposure method where a different numerical aperture is used for each exposure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christina Riddle whose telephone number is (571)270-7538. The examiner can normally be reached on Monday- Thursday 7:00-17:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kent Chang can be reached on (571)272-7667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/C. R./
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